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**U.S. Department of
Transportation**
Office of the Secretary
of Transportation

NOTICE OF ACTION TAKEN

DOCKET OST-98-4535

This serves as interim notice to the public of the action described below, taken orally by the Department official indicated; the confirming order or other decision document will be issued as soon as possible.

Applicant: **Heavylift-VolgaDnepr Ltd.**   Date Filed: October 2, 1998

Relief requested: Exemption pursuant to 49 U.S.C. section 40109(g) to permit it to operate one one-way cargo charter flight between Kansas City, MO, and San Juan, PR, on or about October 2, 1998, using its AN-124 aircraft, to transport one electrical generator (17.33x7.33x8.5 feet) on behalf of Union Camp to repair damages to its plant caused by Hurricane Georges.

Applicant representative: Lester Bridgeman   (334) 432-1414

Responsive pleadings: Heavylift-VolgaDnepr served its request on those U.S. carriers operating large all-cargo aircraft. Each carrier indicated that it did not have aircraft available to conduct the operation, and that it had no comment or did not oppose grant of the authority.

DISPOSITION

Action: Approved   Action date: October 2, 1998

Effective dates of authority granted: October 2-5, 1998

Basis for approval: We found that the application, as approved, met all the relevant criteria of 49 U.S.C. section 40109(g) for the grant of an exemption of this type, and that the grant was required in the public interest. Moreover, based on the representations of the U.S. carriers, we concluded that no U.S. carrier had aircraft available which could be used to conduct the operation at issue here. We also found that grant of Heavylift-VolgaDnepr's request would prevent undue hardship to Union Camp by facilitating the rapid restoration of its facility.

Except to the extent exempted/waived, this authority is subject to standard exemption conditions and to the condition that Heavylift-VolgaDnepr comply with an FAA-approved flight routing for the authorized flight

Action taken by: **Charles A. Hunnicutt**
                        Assistant Secretary for Aviation
                          and International Affairs